

DEPARTMENT OF SOCIAL SERVICES

DIVISION OF MEDICAL SERVICES

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October 2, 2007

Dear South Dakota Medicaid Provider:

On September 14, a letter was sent to all South Dakota Medicaid providers explaining the federal mandate involving tamper-resistant requirements for outpatient prescription drug pads. The letter explained states had to insure prescriptions for Medicaid clients met one of three criteria: a feature to prevent copying; a feature to prevent erasure or modification; or a feature to prevent the use of counterfeit forms. The implementation date was October 1, 2007. By October 1, 2008, all three criteria had to be met.

Due to the short implementation time frame the federal government originally gave states, South Dakota implemented a policy requiring the use of gel ink pens when writing prescriptions for Medicaid clients. The use of a gel ink pen prevents the erasure of the ink from the prescription and would bring South Dakota into compliance with the law. A supply of gel ink pens was purchased to be distributed to Medicaid providers.

On Saturday September 29th, the President signed House Resolution 3668 that provides for an extension of the implementation date of this requirement. The extension provides for a new implementation date of April 1, 2008.

Over the course of the next six months, the Department of Social Services (DSS) will be working with provider associations to implement prescription drug pad requirements by the April 1, 2008, compliance date. While no longer a requirement at this time, we still encourage the use of the enclosed gel ink pens in preventing the erasure of prescriptions and moving towards compliance with these federal guidelines. These pens should also be available through local office supply stores.

A link on the DSS website for the tamper-resistant prescription drug pad issue is in the process of being created. It will include relevant documents and updates on the process of implementing standards. The information will be located at <http://dss.sd.gov/medicalservices/providerinfo/tamper-resistantrx.asp>

Thank you for your continued patience and understanding. Please contact me if you have questions or concerns.

Sincerely,

Larry Iversen
Medicaid Director

Cc: Dave Hewitt, SD Association of Healthcare Organizations
Paul Knecht, SD Dental Association
Sue Schaefer, SD Pharmacists Association
Barb Smith, SD Medical Association